

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**ISRAEL McCLAY PINTOR**, In Full Life, *Sui  
Juris*,

Plaintiff,

v.

**BORROW SMART MORTGAGE, UNITED  
WHOLESALE MORTGAGE LLC, and  
FANNIE MAE**,

Defendants.

Case No. 3:24-cv-715-AR

**ORDER**

**Michael H. Simon, District Judge.**

United States Magistrate Judge Jeff Armistead issued Findings and Recommendation in this case on November 25, 2024. Judge Armistead recommended that this Court grant Defendants’ motion to dismiss for lack of subject matter jurisdiction.

Under the Federal Magistrates Act (“Act”), the Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C.

§ 636(b)(1). If a party objects to a magistrate judge’s findings and recommendations, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.*; Fed. R. Civ. P. 72(b)(3).

Plaintiff timely filed an objection. Plaintiff cites various federal statutes and sections of the Uniform Commercial Code, but he fails to show any error in Judge Armistead's analysis that the Court does not have subject matter jurisdiction over this case. The Court has reviewed *de novo* Judge Armistead's Findings and Recommendation, as well as Plaintiff's objections, Defendants' response, and the underlying briefing of the motion to dismiss. The Court agrees with Judge Armistead's reasoning.

The Court ADOPTS Judge Armistead's Findings and Recommendation, ECF 21. The Court GRANTS Defendants' Motion to Dismiss, ECF 14, under Rule 12(b)(1) of the Federal Rules of Civil Procedure. Because Plaintiff previously was given notice and the opportunity to replead to cure the deficiencies in his complaint and was unable to do so, the Court dismisses this case with prejudice.

**IT IS SO ORDERED.**

DATED this 31st day of December, 2024.

/s/ Michael H. Simon  
Michael H. Simon  
United States District Judge